

MESSAGE NO: 0295306 MESSAGE DATE: 10/22/2010

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: ADRV-Administrative Review

FR CITE: 75 FR 53661 FR CITE DATE: 09/01/2010

REFERENCE
MESSAGE #
(s):

CASE #(s): A-588-201

EFFECTIVE DATE: 09/01/2010 COURT CASE #: 10-00286

PERIOD OF REVIEW: 05/01/2008 TO 04/30/2009

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 09/01/2010

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR BALL BEARINGS AND PARTS THEREOF FROM JAPAN PRODUCED BY NTN CORPORATION FOR THE PERIOD 05/01/2008 THROUGH 04/30/2009 (A 588 201 009)

THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION

1. UNTIL FURTHER INSTRUCTED, CONTINUE TO SUSPEND LIQUIDATION FOR ENTRIES COVERED BY INJUNCTION MESSAGE NUMBER 0280301 DATED 10/07/2010.

2. THE FOLLOWING COMPANY-SPECIFIC LIQUIDATION INSTRUCTIONS FOR ENTRIES OF BALL BEARINGS AND PARTS THEREOF DURING THE PERIOD 05/01/2008 THROUGH 04/30/2009 HAVE BEEN ISSUED:

AISIN SEIKI COMPANY LTD.
MESSAGE 0260305
DATED 09/17/2010

MAKINO MILLING MACHINE COMPANY LIMITED
MESSAGE 0260318
DATED 09/17/2010

MAZDA MOTOR CORPORATION
MESSAGE 0260306
DATED 09/17/2010

NACHI-FUJIKOSHI CORPORATION
MESSAGE 0260309
DATED 09/17/2010

NISSAN MOTOR COMPANY, LTD.
MESSAGE 0260303
DATED 09/17/2010

SAPPORO PRECISION INC. OR TOKYO PRECISION, INC.

MESSAGE 0260314

DATED 09/17/2010

UNIVANCE CORPORATION

MESSAGE 0260317

DATED 09/17/2010

YAMAZAKI MAZAK TRADING CORPORATION

MESSAGE 0260320

DATED 09/17/2010

THE INSTRUCTIONS LISTED ABOVE INSTRUCTED CBP TO LIQUIDATE ENTRIES OF SUBJECT MERCHANDISE WHICH WAS EXPORTED BY THE ABOVE FIRMS AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 5/1/2008 THROUGH 4/30/2009 REGARDLESS OF PRODUCER.

3. UNTIL FURTHER INSTRUCTED, CONTINUE TO SUSPEND LIQUIDATION FOR ENTRIES COVERED BY INJUNCTION MESSAGE NUMBER 0260304 DATED 09/17/2010.

4. AS A RESULT OF COMMERCE'S CLARIFICATION OF ITS ASSESSMENT REGULATION ON MAY 6, 2003 (68 FR 23954), FOR ALL SHIPMENTS OF BALL BEARINGS AND PARTS THEREOF FROM JAPAN PRODUCED BY NTN CORPORATION, ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 05/01/2008 THROUGH 04/30/2009, ENTERED UNDER CASE NUMBER A-588-201-009, AND NOT COVERED BY PARAGRAPHS 1 THROUGH 3 ABOVE, ASSESS ANTIDUMPING DUTIES AT THE ALL-OTHERS RATE IN EFFECT ON THE DATE OF ENTRY. THE ALL-OTHERS RATE FOR BALL BEARINGS AND PARTS THEREOF FROM JAPAN IS 45.83 PERCENT.

5. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE COVERED BY PARAGRAPH 4 ABOVE OCCURRED WITH THE PUBLICATION OF THE FINAL RESULTS OF ADMINISTRATIVE REVIEW (75 FR 53661 (09/01/2010)). FOR ALL OTHER SHIPMENTS OF BALL BEARINGS AND PARTS THEREOF FROM JAPAN YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF

THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER WHICH IS 05/15/1989. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN 19 CFR 351.402(F)(2). THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER, OR EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

8. WITH THE EXCEPTION OF ENTRIES CONTAINING MERCHANDISE WHICH IS SUBJECT TO THE INJUNCTIONS DISCUSSED IN PARAGRAPHS 1 AND 3, THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY PARAGRAPH 4 OF THIS MESSAGE.

9. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482 0984 OR (202) 482 3577 RESPECTIVELY (GENERATED BY O5:TES).

10. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party